

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

DAVIS PROTECTIVE AGENCY
RESPONDENT.

94 RAL 027

LS 9807092 RAL

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Davis Protective Agency
Christopher Davis, Owner
6061 N. 41st. St.
Milwaukee, WI 53209

Department of Regulation and Licensing
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Secretary of the Department of Regulation and Licensing. The Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Davis Protective Agency**, 6061 N. 41st. St. Milwaukee, WI 53209 is a private detective agency having State of Wisconsin license # 15266, which was originally granted to it on July 1, 1992. Christopher Davis was at all times relevant to the facts set forth herein, the President/Owner of Davis Protective Agency Inc.

2. On or about July 7, 1993, Respondent acquired a Commercial General Liability Insurance Policy # CLS041370 from Scottsdale Insurance Company. The Insurance coverage was effective from July 7, 1993 through July 7, 1994. A copy of this insurance policy is attached as **Exhibit 1** and is incorporated herein by reference.

3. On or about November 1, 1994, Respondent acquired General Liability Insurance policy # CP54365-01 from Capital Indenity Corp. The insurance coverage was effective from November 1, 1994 through November 1, 1995. A copy of the Capital Indenity Corp. policy is attached as **Exhibit 2** and is incorporated herein by reference.

4. On or about September 1, 1994, Respondent's Private Detective Agency license # 15266 expired. Respondent's Renewal Application for his license was not submitted until October 31, 1994, and a license was not granted until November 2, 1994. A copy of Respondent's Renewal Application is attached as **Exhibit 3** and is incorporated herein by reference.

5. During the time period of September 1, 1994 through November 1, 1994, Respondent performed security guard services for Northland Development Company after the agency license had lapsed.

6. During the time period of July 8, 1994 through October 31, 1994, Respondent performed security guard services for the Northland Development Company without maintaining a bond of liability insurance policy in effect.

7. On or about October 25, 1994, Virnell Boyles while an employee of Respondent, performed armed security guard services at Northland Development Company, 1601 N. Teutonia Avenue, Milwaukee, WI. At the time he was performing these armed security guard duties, Mr. Boyles did not have a valid security guard permit nor a valid firearms certificate of proficiency.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stats. sec. 440.26(6).

2. The Wisconsin Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. Respondent **Davis Protective Agency** has violated:

- a. Wis. Stats sec. 440.26(1), Wis. Admin. Code sec. RL 32.01(1), and Wis. Admin. Code sec. RL 35.01(9) by operating as a private detective agency without a current private detective agency license from September 1, 1994 through November 1, 1994.

- b. Wis. Stats sec. 440.26(4), Wis. Admin. Code sec. RL 33.01(1), and Wis. Admin. Code RL 35.01(9) by failing to maintain a bond or liability insurance policy for the period from July 8, 1994 through October 31, 1994.
- c. Wis. Stats sec. 440.26(1), Wis. Admin. Code sec. RL 34.01(1), Wis. Admin. Code sec. RL 34.02(1), Wis. Admin. Code sec. RL 35.01(9), and Wis. Admin. Code sec. RL 35.01(13) by providing an unlicensed armed security guard (Virnell Boyles) to provide security guard services for Northland Development Company, on or about October 25, 1994, when Virnell Boyles did not have a valid security guard permit or a firearms certificate of proficiency.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that **Davis Protective Agency**, Private Detective Agency License # 15266 be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Davis Protective Agency**, pay partial costs of this matter in the amount of \$ 500.00 within 30 days of the date of this Order by making payment of the same to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935.

IT IS FURTHER ORDERED, that in the event Respondent **Davis Protective Agency**, fails to pay the \$500.00 costs within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent Davis Protective Agency, its private detective agency license # 15266 shall be immediately suspended, without further hearing and without further Order of the Department, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing and his failure to pay the costs shall be considered a violation of this Order by the Department.

IT IS FURTHER ORDERED, that file # 94 RAL 027 be, and hereby is, closed.

Dated this 19th day of August, 1998.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Patricia C. McCormick
Patricia McCormick, Deputy Secretary

COMMERCIAL LIABILITY
DECLARATIONS



Scottsdale Insurance Company®

8877 North Gainey Center Drive
Scottsdale, Arizona 85258
A STOCK COMPANY

CLS 041370

NEW

RENEWAL OF NUMBER

NORMAN W. NEITZKE
TRI-COUNTY INS. AGENCY
7504 W. Appleton Ave.
Milwaukee, Wisconsin 53216
461-5150

Item 1. Named Insured and Mailing Address:

Davis Protective Agency Inc.
4669 N Port Washington Road
Glendale, WI 53212

Agent Name and Address:

American X/S Underwriters
P.O. Box 904
Pewaukee, WI 53072-0904

Agent No. 480002

Item 2. Policy Year

From: 7/1/93

To: 1/1/94

at 12:01 A.M. Standard Time at your mailing address

Item 3. Retroactive Date:

Item 4. Business Description Security Guard Service

Item 5. In return for the payment of the premium, and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

This policy consists of the following coverage parts for which a premium is indicated. Where no premium is shown, there is no coverage. This premium may be subject to adjustment.

COVERAGE PART(S)

FORM NO. AND EDITION DATE

PREMIUM

COMMERCIAL GENERAL LIABILITY COVERAGE PART

CLS-SD-1 (2/92) \$ 2,389.00

PROFESSIONAL LIABILITY COVERAGE PART

\$

This insurance is with an insurer which has not obtained a certificate of authority to transact a regular insurance business in the state of Wisconsin, and will be issued and delivered as a surplus lines coverage pursuant to ss. 618.41, Stats. The insurance is regulated by the Commissioner of Insurance only as provided in ss. 618.41 and 618.43, Stats. Section 618.43 (1), Stats., requires payment by the policyholder of a 3% tax on gross premium (except for Ocean Marine Insurance on which the tax is one half of 1%). The tax on this insurance amounts to \$14.67. If the above transaction is not satisfactory, please advise immediately.

"This policy is subject to audit. Additional premiums generated as a result of audit are due and payable when billed."

TOTAL \$ 2,389.00

\$100.00 Policy Fee

\$74.67 Surplus Lines Tax

Endorsements applicable to all Coverage Parts: CLS-J-2 (11/91), AXS0050 25% Minimum Earned Premium

(Show numbers.)

COUNTERSIGNED November 4, 1993 gle

(Date)

BY

(Authorized Representative)

Jeffrey S. Berg

This Commercial Liability Declarations and the Supplemental Declarations, together with the common policy conditions, coverage form(s) and endorsements complete the above numbered policy.

EXHIBIT 1

CLS-D-1 (11-91)

AGENT'S COPY

COMMERCIAL GENERAL LIABILITY COVERAGE PART SUPPLEMENTAL DECLARATIONS

These Supplemental Declarations form a part of policy number CLS 041370

LIMITS OF INSURANCE

General Aggregate Limit (other than Products/Completed Operations)	\$ <u>1,000,000</u>	
Products/Completed Operations Aggregate Limit	\$ <u>1,000,000</u>	
Personal and Advertising Injury Limit	\$ <u>1,000,000</u>	
Each Occurrence Limit	\$ <u>1,000,000</u>	
Fire Damage Limit	\$ <u>50,000</u>	any one fire
Medical Expense Limit	\$ <u>EXCLUDED</u>	any one person

BUSINESS DESCRIPTION AND LOCATION OF PREMISES

Form of business:

☐ Individual ☐ Joint Venture ☐ Partnership ☒ Organization (other than Partnership or Joint Venture)

Business description: Security Guard Service

Location of all premises you own, rent or occupy: As Needed

PREMIUM \$2,389.00

Classification	Code No.	*Premium Basis	Rate		Advance Premium	
			PR/Co	All Other	Pr/Co	All Other
Security & Patrol Agencies - Armed	98751	p) \$25,000		40.25	\$	\$1,006
Security & Patrol Agencies - Unarmed	98751	p) \$48,000		26.21		1,258
Errors & Omissions Coverage per form GLS-39s		Incl.		Incl.		125.00 Minimum

FORMS AND ENDORSEMENTS (other than applicable forms and endorsements shown elsewhere in the policy)

Forms and endorsements applying to this Coverage Part and made part of this policy at time of issue;
CG0001 (11/88), GLS-39s (8/90), GLS-68s (3/92), GLS-83g (3/92), UTS-128g (11/92),
UTS-137g (3/93), UTS-182g (6/93)

*(a) Area, (c) Total Cost, (m) Admission, (p) Payroll, (s) Gross Sales, (u) Units, (o) Other

THIS SUPPLEMENTAL DECLARATIONS AND THE COMMERCIAL LIABILITY DECLARATIONS, TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE FORM(S) AND ENDORSEMENTS COMPLETE THE ABOVE NUMBERED POLICY.

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

x 11/01/94

PRODUCER

BUSINESS VENTURES INTERNATIONAL
6416 W. CAPITOL DR.
MILWAUKEE WI, 53218/
BEADFORD UNDERWRITERS

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND
CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE
DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE
POLICIES BELOW.

COMPANIES AFFORDING COVERAGECOMPANY
LETTER A

CAPITOL INDENITY CORP.

COMPANY
LETTER BCOMPANY
LETTER CCOMPANY
LETTER DCOMPANY
LETTER E**INSURED**

DAVIS PROTECTIVE AGENCY
6119 W. TEUTONIA AVE
MILWAUKEE WI, 3209

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD
INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS
CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS
EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY				
	COMMERCIAL GENERAL LIABILITY				GENERAL AGGREGATE \$ 1,000,000
	CLAIMS MADE X OCCUR.	CP54365-01	11/01/94	11/01/95	PRODUCTS-COMP/OP AGG. \$ 1,000,000
	OWNER'S & CONTRACTOR'S PROT				PERSONAL & ADV. INJURY \$ 1,000,000
					EACH OCCURRENCE \$ 1,000,000
					FIRE DAMAGE (Any one fire) \$ 50,000
					MED. EXPENSE (Any one person) \$
	AUTOMOBILE LIABILITY				
	ANY AUTO				COMBINED SINGLE LIMIT \$
	ALL OWNED AUTOS				BODILY INJURY (Per person) \$
	SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS				PROPERTY DAMAGE \$
	NON-OWNED AUTOS				
	GARAGE LIABILITY				
	EXCESS LIABILITY				
	UMBRELLA FORM				EACH OCCURRENCE \$
	OTHER THAN UMBRELLA FORM				AGGREGATE \$
	WORKER'S COMPENSATION				STATUTORY LIMITS
	AND				EACH ACCIDENT \$
	EMPLOYERS' LIABILITY				DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

SERSECURITY GURAD SERVICE

CERTIFICATE HOLDER

DEPT. OF REGULATION & LIC.
P.O. BOX 8935
MADISON WI, 53708

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE
EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO
MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE
LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR
LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE

EXHIBIT 2



State of Wisconsin
 DEPARTMENT OF REGULATION AND LICENSING
 COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING

RENEWAL APPLICATION

DUE DATE	AMOUNT DUE
8/31/94	36.00
IF PAYMENT IS RECEIVED AFTER	
8/31/94	ADD \$25.00 PENALTY FOR LATE RENEWAL
IF PAYMENT IS RECEIVED AFTER	
9/1/94	ADD \$25.00 PENALTY FOR LATE RENEWAL

LICENSE NO. 0620015266

TAX TOTAL 61.00
 PRIVATE DETECTIVE AGENCY

SEE INSTRUCTION SHEET

PLEASE PRINT ANY CHANGES

DAVIS PROTECTIVE AGENCY
 Box 12591

CITY Milwaukee

STATE WI ZIP 53212

DAVIS PROTECTIVE AGENCY
 6828 N. 80TH STREET
 MILWAUKEE WI 53223

PLEASE MAKE CHECK PAYABLE AND MAIL WITH NOTICE IN ENCLOSED ENVELOPE TO STATE OF WISCONSIN, DEPARTMENT OF REGULATION AND LICENSING, 1000 W. MICHIGAN, MILWAUKEE, WI 53233

DO NOT WRITE BELOW THIS LINE. FOR OFFICE USE ONLY

Sole proprietor

OK 11-2-94 MP

#45 (5/94) CH.440

I CERTIFY THAT THE AGENCY HAS EITHER A BOND OF LIABILITY POLICY IN EFFECT AND NO OFFICER, PARTNER, SOLE PROPRIETOR OR LICENSED PRIVATE DETECTIVE HAS BEEN CONVICTED WITHIN THE PAST TWO YEARS OF A FELONY, A MISDEMEANOR OR ORDINANCE VIOLATION (OTHER THAN TRAFFIC), NOR ARE CHARGES PENDING.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21ST DAY OF Oct, 1994

Carrie Carpenter

NOTARY PUBLIC MY COMMISSION EXPIRES 9/95 (SEAL)

Carrie Carpenter
 (SIGNATURE AND TITLE)
Carrie Carpenter
 (SIGNATURE AND TITLE)
Carrie Carpenter
 (SIGNATURE AND TITLE)

TO AVOID A LATE PENALTY FEE, YOUR RENEWAL APPLICATION AND FEE MUST ACTUALLY BE RECEIVED BY THE DEPARTMENT ON OR BEFORE THE DUE DATE. THE DATE OF MAILING, AS INDICATED BY A POSTMARK, IS NOT EVIDENCE OF RECEIPT

FULL PAYMENT, INCLUDING ANY PENALTY FEES THAT MAY APPLY, MUST BE RECEIVED BY THE DEPARTMENT BEFORE YOUR LICENSE WILL BE ISSUED. IF YOU DO NOT APPLY FOR RENEWAL BY THE RENEWAL DEADLINE, YOUR LICENSE WILL EXPIRE AND YOU MAY NO LONGER PRACTICE

1413173

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

DAVIS PROTECTIVE AGENCY :
RESPONDENT :

STIPULATION
94 RAL 027

LS 9807092 RAL

The parties in this matter agree and stipulate as follows:

-- 1. This Stipulation is entered into for the purpose of resolving this matter known as investigative file 94 RAL 027 DAVIS PROTECTIVE AGENCY. Hereafter called "Respondent", and the Division of Enforcement, Department of Regulation and Licensing, by its attorney Gerald M. Scanlan, consent to the resolution of this matter pursuant to the terms of this Stipulation and the attached Final Decision and Order.

2. Respondent understands that by the signing of this Stipulation it voluntarily and knowingly waives its rights, including: the right to a hearing on the allegations against it, at which time the State has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against it; the right to call witnesses on its behalf and to compel their attendance by subpoena; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to it under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent has had the opportunity to consult with legal counsel regarding this matter and the legal implications of the Stipulation.


4. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Secretary of the Department or her designee.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order. The matter shall then be returned to the Division of Enforcement for further proceedings. In the event that the Stipulation is not accepted by the Secretary of the Department the parties agree not to contend that the Department Secretary has been prejudiced or biased in any manner by the consideration of this attempted resolution.

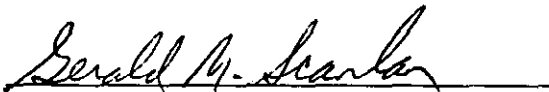
6. If the Department accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

7. Respondent agrees that Complainant's attorney, Gerald M. Scanlan, may appear at any meeting with the Secretary of the Department or her designee with respect to the Stipulation and that his appearance is limited to statements in support of the Stipulation and to answer any questions the Secretary may have regarding the Stipulation. Respondent waives its rights to have notice of that meeting.

8. The Division of Enforcement joins Davis Protection Agency in recommending the Department Secretary adopt this Stipulation and issue the attached Final Decision and Order.


Davis Protective Agency, Respondent
By, Christopher Davis, Owner

8-14-98
Date


GERALD M. SCANLAN, Attorney
Division of Enforcement

8-17-98
Date

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935
(608)

TTY# (608) 267-2416 hearing or speech
TRS# 1-800-947-3529 impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On August 19, 1998, the Department of Regulation and Licensing
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$500.00 Case #: LS9808192RAL

The amount of the forfeiture is: _____ Case #: _____

Please submit a check or a money order in the amount of \$500.00

The costs and/or forfeitures are due: September 18, 1998

NAME: Davis Protective Agency LICENSE NUMBER: 15266

STREET ADDRESS: 6061 North 41st Street

CITY: Milwaukee STATE: WI ZIP CODE: 53209

Check whether the payment is for costs or for a forfeiture or both:

X COSTS _____ FORFEITURE

Check whether the payment is for an individual license or an establishment license:

X INDIVIDUAL _____ ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

#2145 (Rev. 9/96)

Ch. 440.22, Stats.

G:\BDLS\FM2145.DOC

For Receipting Use Only

Committed to Equal Opportunity in Employment and Licensing+

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

In the Matter of the Disciplinary Proceedings Against

Davis Protective Agency,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

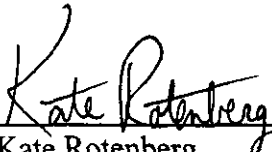
I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On August 25, 1998, I served the Final Decision and Order dated August 19, 1998, and Guidelines for Payment of Costs and/or Forfeitures, LS9808192RAL, upon the Respondent Davis Protective Agency by enclosing true and accurate copies of the above-described documents in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is Z 233 819 713.

3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

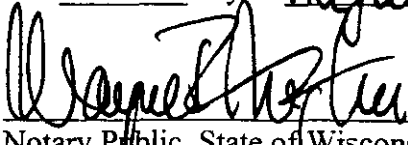
Davis Protective Agency
Christopher Davis, Owner
6061 N. 41st Street
Milwaukee WI 53209



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 25th day of August, 1998.



Notary Public, State of Wisconsin
My commission is permanent

NOTICE OF RIGHTS OF APPEAL

TO: DAVIS PROTECTIVE AGENCY

You have been issued an Order. For purposes of service the date of mailing of this Order is 8/25/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

A. REHEARING.

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Order is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Order if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

1400 East Washington Avenue

P.O. Box 8935

Madison WI 53708-8935